

PROB 12C
(Rev. 01/13)

SEALED

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF TEXAS**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Christopher Anthony Gesino Case Number: 4:13CR00009-001

Name of Sentencing Judicial Officer: U.S. District Judge James H. Payne

Name of Reassigned Judicial Officer: U.S. District Judge Marcia A. Crone

Date of Original Sentence: June 24, 2011

Original Offense: 18:371 - Conspiracy to Commit Fraud in Connection with Access Devices

Original Sentence: 33 months imprisonment followed by a 36 month term of supervised release. The term of supervised release was revoked on April 3, 2013, and the defendant was sentenced to 21 months imprisonment followed by an additional 15 months of supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: August 15, 2014

Assistant U.S. Attorney: Ryan Roberts Defense Attorney: J. Lance Hopkins

PETITIONING THE COURT

TO ISSUE A WARRANT

The probation officer believes that the offender has violated the following condition(s) of supervision:

CONDITION

NATURE OF NONCOMPLIANCE

Allegation 1

Mandatory

The defendant shall not commit another federal, state, or local crime.

The defendant was arrested by Collin County Sheriff's Office on August 14, 2015, for the offenses of Manufacture Delivery Controlled Substance 1>=1G<4G, Second Degree Felony, and Manufacture Delivery Controlled Substance PG2 or 2A<1G, State Jail Felony. The defendant was released on a \$10,000 and \$5,000 surety bond on August 16, 2015.

Allegation 2

Mandatory

The defendant shall not unlawfully possess a controlled substance.

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Allegation 3

Standard

- (7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

Allegation 4

Standard

- (6) The defendant shall notify the probation officer ten days prior to any change in residence or employment.

On September 10, 2014, the defendant reported he quit his job at Reliable Staffing August 29, 2014. He failed to notify the probation office 10 days prior to change in employment.

Allegation 5

Standard

- (8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.

On August 14, 2015, Collin County Sheriff's Office executed a search warrant at 3445 Tarkio, Plano, TX. The warrant was issued based on known drug and counterfeiting activity at the residence. The defendant and three other suspects were arrested, including a woman by the name of Michelle Christopher, who the defendant reported he was dating.

Allegation 6

Standard

- (9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.

The defendant failed to submit to a drug test at the probation office as instructed on May 11, 2015.

Allegation 7

Special

The defendant shall participate in a program approved by the United States Probation Office for the treatment of narcotic addiction, drug dependency, or alcohol dependency, which will include testing to determine if he has reverted to the use of drugs or alcohol. If it is determined by the Probation Officer that the defendant is in need of a residential drug/alcohol treatment program, he shall

The defendant failed to attend drug counseling as instructed at Pillar Counseling, Plano, TX, on August 27, 2015

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participate in such treatment as directed by the Probation Officer and remain in the treatment facility until successfully discharged.

Allegation 8

Special

The defendant shall pay a special assessment of \$100 and restitution in the amount of \$18,885.26. Said special assessment of \$100 is due immediately. Said restitution of \$18,885.26 is due and payable immediately. Said special assessment and restitution shall be paid through the U.S. Court Clerk for the Eastern District of Oklahoma, P.O. Box 607, Muskogee, OK, 74402. If the defendant's financial condition does not allow for immediate payment of restitution, the defendant shall make monthly installments of not less than \$100.00 beginning sixty days from defendant's release. Notwithstanding establishment of a payment scheduled, nothing shall prohibit the United States from executing or levying upon non-exempt property of the defendant discovered before or after the date of this judgement. In the event the defendant receives any federal or state income tax refund during the period of supervision, the defendant shall pay 100% of the total refund toward said restitution.

The defendant has failed to make restitution payments for the months of January, May, June, July, and August 2015. The current remaining restitution balance as of this writing is \$13,830.26.

U.S. Probation Officer Recommendation and Justification:

The defendant's initial term of supervised release was revoked based on noncompliance related to drug use and failing to submit to drug testing as directed.

At the onset of the current term of supervised release, the defendant was referred to substance abuse treatment in order to assist him maintain his sobriety and comply with his conditions of supervised release. However, as noted above, the defendant has been arrested for two new felony drug offenses and is associating with individuals involved in drug and counterfeiting activity which is the exact same activity he was involved in when committing the instant offense.

The U.S. Probation Office respectfully recommends the Court issue a warrant for Christopher Anthony Gesino to appear in court and show cause why his supervision should not be revoked.

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I declare under penalty of perjury that the foregoing
is true and correct.



Linda Werner
Senior U.S. Probation Officer
469-304-4948

Reviewed and approved:



Jesus Perez, Supervising
U.S. Probation Officer

Executed on September 17, 2015
Place: Plano, Texas